

REMARKS/ARGUMENTS

Claims 2-18 and 20-34 are currently pending in the application.

Claim Rejections - 35 U.S.C. § 103

Rejections on Cox in view of Yoshioka

The Examiner has rejected claims 2-4, 6-18, 20-23 and 25-34 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication 2003/0216145 to Cox et al. (hereafter “Cox”) in view of U.S. Patent No. 6,633,763 to Yoshioka. This rejection is respectfully traversed.

Claim 2 recites:

A method of responding to a route planning service request initiated from a first mobile station, the first mobile station being located at a first mobile station position, the route-planning service request defining an identifying-parameter, the method comprising, in combination:

identifying the first mobile station position based on the identifying-parameter;

receiving a destination telephone number, wherein the destination telephone number is a telephone number of a second mobile station;

identifying a destination position corresponding to the destination telephone number;

generating or obtaining a route plan for travel from the first mobile station position to the destination position; and

conveying the route plan for receipt by a person.

Claim 2 recites a method of responding to a route planning service request initiated from a first mobile station that comprises receiving a destination telephone number and identifying a destination position corresponding to the destination telephone number for use in route planning, where the destination telephone number is a telephone number of a second mobile station.

Cox relates to a method of providing directional assistance to a telephone subscriber. In the method of Cox, a Mobile Identification Number or Electronic Serial Number is included in a call stream from a mobile phone to a directory assistance center. Cox teaches that a user

identifies the location of his or her destination to a directory assistance agent. Cox further teaches that the user may provide his or her current location or that location may be determined based on information contained in the call stream associated with the user's call. *See page 3, paragraph 0026.*

As the Examiner concedes, Cox does not teach, disclose or describe receiving a destination telephone number and identifying a destination position corresponding to the destination telephone number for use in planning a route where the destination telephone number is a mobile telephone number, as is recited in claim 2.

The Examiner cites Yoshioka as teaching the use of a mobile telephone number as a destination telephone number, citing column 5, lines 21-57 of Yoshioka. For the Examiner's convenience, text of column 5, lines 21-57 of Yoshioka is presented here.

Next, a description will be made as to the operation of the navigation device according to the first embodiment of the present invention with reference to FIG. 4 showing a flow diagram showing the operation of the navigation device. ***The arithmetic and logic unit 4 lists a plurality of location names registered in the telephone number database 13 on the screen of the display unit 3, for example, and then allows a user to select one desired location name from the list on-screen with the input unit 1 and set the desired location to his or her destination so as to guide the user to the destination, in step ST401.*** The arithmetic and logic unit 4, in step ST402, also allows the user to set an automatic-dialing distance with the input unit 1. Assuming that Y (km) denotes the distance between the destination and the current position of the vehicle, as shown in FIG. 5, the arithmetic and logic unit 4 allows the automatically dialing section 15 to dial the destination telephone number automatically when Y (km) is less than or equal to a predetermined distance X (km), which is hereafter referred to as an automatic-dialing distance in this specification. The distance between the destination and the current position of the vehicle can be calculated in the following manner. First, links connecting between nodes and extending from the current position to the destination are formed by searching for some routes, and a route having some of those links whose total length is the shortest is selected and provided as the searching result, as shown in FIG. 6. The distance between the destination and the current position of the vehicle, i.e. the remaining distance is then calculated by summing the summation of the lengths of the links included in the selected route (A+B+C), and the distance from the current position to the next node (D). The route searching section 17 of the navigation device searches for the optimum

route to the destination from information from the map database 12 for storing the lengths of links and node positions, the speed sensor 7, the gyro sensor 6, and the GPS receiver 8. The remaining distance calculation section 18 then calculates the remaining distance along the route to the destination. (*Emphasis added*)

Applicants respectfully disagree with the Examiner that Yoshioka in combination with Cox teaches the use of a mobile telephone number as a destination telephone number for providing route planning services to mobile communication system users. Cox and Yoshioka are both directed to providing directional assistance to fixed physical street addresses. In the approach set forth in Cox, a mobile station user provides the physical street address and is provided with a route plan from his or her current location to the provided physical street address. As noted above, the Examiner concedes that Cox does not teach the use of selecting a destination based on a destination telephone number (whether a fixed landline number or otherwise).

Likewise, Yoshioka is also directed to providing directional assistance to a fixed physical street addresses. For example, in the portion of Yoshioka set forth above, a user selects a destination from a list of telephone numbers that are registered in a telephone number database 13. The telephone number database 13 of Yoshioka is defined in that patent in column 4, lines 64-67, which recites that “[t]he telephone number database 13 stores information about a plurality of locations, i.e. a plurality of location names, and their telephone numbers, latitudes and longitudes.” Because the telephone number database 13 taught by Yoshioka equates a telephone number with a location name and specific latitude and longitude, those telephone numbers are clearly fixed location telephone numbers. Therefore, a user of a first mobile station selecting a destination telephone number from the telephone number database 13 of Yoshioka would be selecting a telephone number associated with a fixed physical longitude and latitude in the telephone number database 13, not the number of a second mobile station as recited in claim

2. Neither Cox nor Yoshioka, either alone or in combination, teaches, suggests or describes providing directional assistance to a user of a first mobile station to the location of a second mobile station, as recited in claim 2.

In contrast to the proposed combination of Cox and Yoshioka, claim 2 recites receiving a destination telephone number, wherein the destination telephone number is a telephone number of a second mobile station. In such a system, because the destination phone number is the phone number of a second mobile station, the location of the phone number is determined as result of a request for directional assistance to the location of the second mobile station. For example, one approach that may be employed is described in the application on page 11, lines 3-9, which recites:

[I]dentifying a destination position corresponding to the destination telephone number may comprise a machine querying a location system for the destination position by a query keyed to the destination telephone number. In that regard, the destination telephone number could be a telephone number of a second mobile station, and the location system could comprise a mobile positioning system, such that the mobile positioning may responsively determine a location of the second mobile station and return the location to the machine as the destination position.

Such an approach employs a mobile positioning system included in a location system to responsively determine the destination location by determining the location of the second mobile station. Neither Cox nor Yoshioka teach, suggest or describe such an approach. Therefore, claim 2 is not obvious over the proposed combination, and the rejection should be withdrawn.

Claims 3, 4, 6-18, 20-23 and 25-30 depend ultimately from claim 2 and include all of its limitations, as well as the limitations of any intervening claims. Therefore claims 3, 4, 6-18 and 25-30 are not obvious over the combination of Cox and Yoshioka by virtue of claim dependency.

Claim 31 recites:

A method for assisting a mobile station user to get from a current first mobile station position to a destination position, the method comprising, in combination:

receiving a route planning service request and responsively initiating a route planning session;

generating a mobile station position inquiry, whereby the mobile station position inquiry may be forwarded to a mobile positioning system to establish the mobile station position;

receiving, in response to the mobile station position inquiry, an indication of the first mobile station position,

receiving a destination telephone number, wherein the destination telephone number is a telephone number of a second mobile station;

initiating an inquiry to identify a destination position corresponding to the destination telephone number;

generating a route plan for travel from the first mobile station position to the destination position;

conveying the route plan for receipt by the user,

whereby the route plan may assist the user to travel from the first mobile station position to the destination position.

Claim 31 recites a method for assisting a mobile station user to get from a current mobile station position to a destination position comprising receiving a destination telephone number, wherein the destination telephone number is the telephone number of a second mobile station, and initiating an inquiry to identify a destination position corresponding to the destination telephone number for use in route planning.

As was discussed above with respect to claim 2, Cox does not teach, describe or disclose receiving a destination telephone number and determining a destination position corresponding to the telephone number, where the destination telephone number is a mobile telephone number or otherwise. Cox, in contrast, describes a method where the user provides the location of the destination. See *"second location 14" in Figure 1 and the associated description on page 3, paragraph 0026*. Furthermore, as was also discussed with respect to claim 2, Yoshioka does not teach, suggest or describe modifying the method of Cox in such a fashion. Therefore, claim 31 is

not obvious over the combination of Cox and Yoshioka for the same reasons as were described above with respect to claim 2.

Claim 32 depends from claim 31 and includes all of its limitations. Therefore, claim 32 is not obvious over Cox in view of Yoshioka by virtue of claim dependency. Based on the foregoing, the rejection of claims 31 and 32 should be withdrawn.

Claim 33 is directed to a route planning application server that comprises a set of machine language instructions for receiving a destination telephone number, where the destination phone number is a mobile station phone number, and for responsively initiating an inquiry to identify a destination position corresponding to the destination telephone number for use in route planning. Therefore, claim 33 distinguishes from the combination of Cox and Yoshioka on a similar basis as discussed above with respect to claims 2 and 31. Thus, the rejection of claim 33 should be withdrawn.

Claim 34 recites:

A method comprising:
receiving a route planning request;
receiving a destination telephone number, wherein the destination telephone number is a telephone number of a first mobile station;
determining a second mobile station location;
based on the second mobile station location and the destination telephone number, establishing a route plan for travel from the mobile station location to a location corresponding to the destination telephone number; and
providing the route plan.

The method of claim 34 comprises receiving a destination telephone number, where the destination telephone number is a telephone number of a first mobile station and establishing, based on a location of a second mobile station and the destination telephone number, a route plan for travel from the location of the second mobile station to a location corresponding to the destination telephone number (the location of the first mobile station). As was discussed above

with respect to claims 2 and 31, the combination of Cox and Yoshioka does not teach, suggest or describe such a method. Therefore, claim 34 distinguishes from Cox and Yoshioka on a similar basis as claims 2 and 31, and the rejection of claim 34 should be withdrawn.

Rejection on Cox and Yoshioka and further in view of Schwartz

The Examiner has rejected claim 5 under 35 U.S.C. § 103(a) as being unpatentable over Cox and Yoshioka and further in view of U.S. Patent Publication Application Publication 2002/0160790 A1 to Schwartz et al. (hereafter "Schwartz").

Claim 5 depends ultimately from claim 2 and includes all of its limitations, as well as the limitations of all intervening claims. Because claim 2 is not obvious over the proposed combination of Cox, Yoshioka and Schwartz, claim 5 is also not obvious by virtue of claim dependency.

As was discussed above with respect to claim 2, the combination of Cox and Yoshioka does not teach, suggest or describe receiving a destination telephone number, where the destination telephone number is a telephone number of a mobile station, and identifying a destination position corresponding to the destination telephone number for use in planning a route, as recited in claim 2. Schwartz does not up make for these deficiencies of Cox and Yoshioka.

Schwartz is directed to a method and architecture for interactive two-way communication, not to providing directional assistance. The Examiner does not assert that Schwartz teaches the above aspects of claim 2 and merely cites Schwartz for the use of an Internet Protocol address. Thus, even were one of skill in the art to combine Schwartz with Cox and Yoshioka, which it is not conceded that he or she would, that combination would still lack

receiving a destination telephone number and identifying a destination position corresponding to the destination telephone number for use in planning a route, where the destination telephone number is a mobile telephone number, as recited in claim 2. Therefore, claim 2 is not obvious over the proposed combination of Cox, Yoshioka and Schwartz. Further claim 5 is not obvious over the proposed combination by virtue of its dependency on claim 2. Thus, the rejection should be withdrawn.

Rejections on Cox and Yoshioka and further in view of Lau

The Examiner has rejected claim 24 under 35 U.S.C. § 103(a) as being unpatentable over Cox and Yoshioka and further in view of U.S. Patent Publication Application Publication 2002/0168986 A1 to Lau et al. (hereafter "Lau").

Claim 24 depends ultimately from claim 2 and includes all of its limitations, as well as the limitations of all intervening claims. Because claim 2 is not obvious over the proposed combination of Cox, Yoshioka and Lau, claim 24 is also not obvious by virtue of claim dependency.

As was discussed above with respect to claim 2, the combination of Cox and Yoshioka does not teach, suggest or describe receiving a destination telephone number, where the destination telephone number is a telephone number of a mobile station, and identifying a destination position corresponding to the destination telephone number for use in planning a route, as recited in claim 2. Lau does not up make for these deficiencies of Cox and Yoshioka.

The Examiner does not assert that Lau teaches the above aspects of claim 2 and merely cites Lau for the use of a routing engine. Thus, even were one of skill in the art to combine Lau with Cox and Yoshioka, which it is not conceded that he or she would, that combination would

still lack receiving a destination telephone number, where the destination telephone number is a telephone number of a mobile station, and identifying a destination position corresponding to the destination telephone number for use in planning a route, as recited in claim 2. Therefore, claim 2 is not obvious over the proposed combination of Cox, Yoshioka and Lau. Further claim 24 is not obvious over the proposed combination by virtue of its dependency on claim 2. Thus, the rejection should be withdrawn.

Conclusion


In view of the foregoing, all of the pending claims are in condition for allowance. If the Examiner has any questions, he is invited to contact the undersigned at (360) 379-6514. An early allowance of all the claims is respectfully requested.

Respectfully Submitted,

McDonnell Boehnen Hulbert & Berghoff

Date: Feb. 24, 2005

By:


Paul W. Churilla
Reg. No. 47,495